IN THE CLAIMS:

Claim 1 (Cancelled).

Claim 2 (Currently Amended): An image processing method comprising the steps of:

capturing digital image data of a photographing scene in which a first subject is photographed with a camera, as well as,

capturing camera information of said photographing scene acquired or input in the camera when said first subject is photographed;

obtaining related information related to said photographing scene based on at least one of said captured digital image data of said photographing scene and said captured camera information thereof;

assuming said photographing scene by said camera information and said related information or by a combination with said digital image data, said camera information and said related information; and

subjecting preset image processing to said digital image data depending on said assumed photographing scene, wherein

said camera information of said photographing scene includes photographing information and photographing position information captured in said camera,

said related information includes supplementary information relating to the camera information,

said assuming step of the photographing scene is a step of specifying <u>automatically</u> said

first subject in said photographing scene or assuming a photographing situation when said first

subject is photographed from said camera information and said supplementary information or a

combination with said digital image data, said camera information and said supplementary

information,

said preset image processing is first image processing depending on said specified first

subject or said assumed situation, and

said first image processing is subjected to said digital image data in a first region limited

to said ~~specified~~ first subject <u>that is automatically specified by said assuming step</u>.

Claim 3 (Original): The image processing method according to claim 2, wherein said

supplementary information includes map information.

Claim 4 (Original): The image processing method according to claim 2, wherein said

photographing information includes information on photographing date and time and said

supplementary information includes weather information, and wherein a situation of said

photographing scene is assumed by specifying weather in a photographing location at the time of

photographing from the information on photographing date and time and the photographing

position information in said camera information, as well as the weather information in said

supplementary information.

Claim 5 (Original): The image processing method according to claim 2, wherein said photographing information includes information on photographing date and time, and said supplementary information includes event information, and a situation of said photographing scene is assumed by specifying an event in a photographing location at the time of the photographing from the information on photographing date and time and the photographing position information in said camera information, as well as the event information in said supplementary information.

Claim 6 (Previously Presented): The image processing method according to claim 2, wherein at least one of gradation control of density of color, geometrical distortion correction, and emphasizing or smoothing processing is executed in said region limited to said specified first subject as said preset image processing.

Claim 7 (Previously Presented): An image processing method comprising the steps of:

capturing digital image data of a photographing scene in which a subject is photographed with a camera, as well as,

capturing camera information of said photographing scene acquired or input in the camera when said subject is photographed;

obtaining related information related to said photographing scene based on at least one of said captured digital image data of said photographing scene and said captured camera information thereof;

assuming said photographing scene by at least one of said camera information and said

related information or by a combination with said digital image data and said at least one of said camera information and said related information; and

subjecting preset image processing to said digital image data depending on said assumed photographing scene, wherein

said related information includes map information and/or accumulated images,

said camera information of said photographing scene includes at least one of photographing position information or photographing direction information and photographing magnification information captured in said camera,

said assuming step of the photographing scene comprises the steps of:

preparing a simulation image of said photographing scene using said camera information and said map information or said accumulated images;

comparing said prepared simulation image with a photographed image of said photographing scene; and

detecting a defective region or an unnecessary region in said photographed image of said photographing scene, and

said preset image processing step comprises a step of subjecting restoration processing to said defective region or said unnecessary region in said photographing image.

Claim 8 (Original): The image processing method according to claim 7, wherein said detecting step of said defective region or said unnecessary region is for determining a line or a point existing in said photographed image that does not match said simulation image as a result of comparing said simulation image with said photographed image; and

said restoring processing step is for restoring and erasing the determined line or point using corresponding pixels in said simulation image, or corresponding pixels or marginal pixels in said photographed image.

Claim 9 (Original): The image processing method according to claim 7, wherein said comparing step for comparing said simulation image with said photographed image is for comparing distribution of density and color or distribution of sharpness in a preset region within a picture of said photographing scene, between said simulation image and said photographed image;

said detecting step of said defective region or said unnecessary region is for detecting distortion in said distribution of density or color or said distribution of sharpness in said preset region; and

said restoring processing step is for correcting unevenness or unsharpness with respect to said preset region.

Claim 10 (Original): The image processing method according to claim 7, wherein said comparing step for comparing said simulation image and said photographed image is for dividing an entirety of a picture of said photographing scene into a plurality of sub-regions, and comparing distribution of density or color or distribution of sharpness for each of said plurality of sub-regions, between said simulation image and said photographed image;

said detecting step of said defective region or said unnecessary region is for detecting a sub-region in which said distribution of density and color or said distribution of sharpness has distortion out of said plurality of sub-regions; and

said restoring processing step is for correcting unevenness or unsharpness with respect to said region in which said distribution has distortion.

Claim 11 (Original): The image processing method according to claim 7, wherein said detecting step of said defective region or said unnecessary region is for deriving a region of a specific construction in said simulation image;

said comparing step of said simulation image with said photographed image is for setting a region that is the same as the region of said specific construction derived in said simulation image in said photographed image; and

said restoring processing step is for performing processing step is for performing processing for removing said specific construction from the same region set in said photocopied image.

Claim 12 (Currently Amended): An image processing method comprising the steps of:

capturing digital image data of a photographing scene in which a subject is photographed with a camera, as well as,

capturing camera information of said photographing scene acquired or input in the camera when said subject is photographed;

assuming said photographing scene by said camera information or by a combination with said digital image data and said camera information; and

subjecting preset image processing to said digital image data depending on said assumed photographing scene, wherein

said camera information of said photographing scene includes a message information relating to said photographing scene, acquired or input in said camera and assigned to said digital image data,

said assuming step of the photographing scene is a step of assuming the photographing scene from contents of said message information or a combination with said digital image data and said contents of said message information; and

said preset image processing step is a step of subjecting image processing by means of image processing conditions set in accordance with the assumed photographing scene, and wherein

said message information is audio information and said image processing conditions are used to image processing for obtaining a high quality image and set in accordance with said photographing scene assumed from at least said contents of said audio information in said assuming step.

Claim 13 (Previously Presented): The image processing method according to claim 12, wherein said message information further includes text information.

Claim 14 (Original): The image processing method according to claim 12, wherein said photographing scene is assumed by combining either of photographing information at the time of photographing, an image characteristics amount or principal subject information with said message information.

Claim 15 (Previously Presented): The image processing method according to claim 2, wherein said processed image data obtained by subjecting said preset image processing to said digital image data is converted to at least one of print output image data outputted to a printer producing a print, media output image data utilized in recording to and reproducing from an image data recording medium and communication image data utilized in communicating via a communication device, and is output.

Claim 16 (Original): The image processing method according to claim 15, wherein subject-related information is derived from a database by means of the subject assumed from said camera information and said related information and utilized as at least one of additional information for compositing at the time of producing the print, additional information for reproducing at the time of reproducing on the image data recording medium and additional information for reproducing at the time of reproducing after receiving via the communication device.

Claim 17 (Cancelled).

Claim 18 (Previously Presented): The image processing apparatus according to claim 29, further comprising:

a database which stores related information related to said digital image data of the photographing scene and said camera information; and

an obtaining device which obtains said related information related to said photographing scene and acquired or input in the camera, or stored in said database, based on said digital image data of said photographing scene and said captured camera information thereof; wherein

said assuming device assumes said photographing scene by said related information of the photographing scene or by a combination with said related information and at least one of said camera information and said digital image data.

Claim 19 (Currently Amended): An image processing apparatus comprising:

an image data capturing device which captures digital image data of a photographed image in a camera capable of obtaining said photographed image of a photographing scene in which a first subject is photographed, as well as, acquiring or inputting camera information of said photographing scene when said first subject is photographed;

a camera information capturing device which captures said camera information of said photographing scene acquired and input in the camera;

a database which stores related information related to said digital image data of the photographing scene and said camera information;

an obtaining device which obtains said related information related to said photographing scene and acquired or input in the camera, or stored in said database, based on said digital image data of said photographing scene and said captured camera information thereof,

an assuming device which assumes said photographing scene by said camera information and said related information of the photographing scene or by a combination with said digital image data, said camera information and said related information; and

an image processing device which subjects preset image processing to said digital image data depending on said assumed photographing scene; wherein

said camera information capturing device captures photographing information and photographing position information captured in said camera as said camera information of said photographing scene,

said obtaining device which obtains supplementary information relating to the camera information as said related information,

said assuming device specifies <u>automatically</u> said first subject in said photographing

scene or assumes a photographing situation when said first subject is photographed from said

camera information and said supplementary information or a combination with said digital image

data said camera information and said supplementary information, and

said image processing device subjects image processing depending on said specified first

subject or said assumed situation as said preset image processing to said digital image data in a

region limited to said ~~specified~~ first subject <u>that is automatically specified by said assuming</u>

<u>device</u>.

Claim 20 (Original): The image processing apparatus according to claim 19, wherein

said supplementary information includes map information.

Claim 21 (Original): The image processing apparatus according to claim 19, wherein

said photographing information includes information on photographing date and time and said

supplementary information includes weather information, and

said assuming device assumes a situation of said photographing scene by specifying

weather in a photographing location at the time of photographing from the information on

photographing date and time and the photographing position information in said camera

information, as well as the weather information in said supplementary information.

Claim 22 (Previously Presented): The image processing apparatus according to claim 19, wherein said photographing information includes information on photographing date and time, and said supplementary information includes event information, and

said assuming device assumes a situation of said photographing scene by specifying an event in a photographing location at the time of photographing from the information on photographing date and time and the photographing position information in said camera information, as well as the event information in said supplementary information.

Claim 23 (Previously Presented): The image processing apparatus according to claim 19, wherein said image processing device further executes at least one of gradation control of density of color, geometrical distortion correction, and emphasizing or smoothing processing in said region limited to said specified first subject as said preset image processing.

Claim 24 (Previously Presented): An image processing apparatus comprising:

an image data capturing device which captures digital image data of a photographed image in a camera capable of obtaining said photographed image of a photographing scene in which a subject is photographed, as well as, acquiring or inputting camera information of said photographing scene when said subject is photographed;

a camera information capturing device which captures said camera information of said photographing scene acquired or input in the camera;

a database which stores related information related to said digital image data of the photographing scene and said camera information;

an obtaining device which obtains said related information related information related to said photographing scene and acquired or input in the camera, or stored in said database, based on said digital image data of said photographing scene and said captured camera information thereof,

an assuming device which assumes said photographing scene by said camera information and said related information of the photographing scene or by a combination with said digital image data, said camera information and said related information; and

an image processing device which subjects preset image processing to said digital image data depending on said assumed photographing scene; wherein

said obtaining device obtains map information and or accumulated images related to said camera information as said related information,

said camera information capturing device captures at least one of photographing position information or photographing direction information and photographing magnification

information captured in said camera as said camera information of said photographing scene,

said assuming device comprises:

a preparing device which prepares a simulation image of said photographing

scene using said camera information, and said map information or said accumulated images;

a comparing device which compares said simulation image prepared by said

preparing device with a photographed image of said photographing scene; and

a detecting device which detects a defective region or an unnecessary region in

said photographed image of said photographing scene, and

said image processing device comprises a restoration processing device which subjects

restoration processing to said defective region or said unnecessary region in said photographing

image as said preset image processing.

Claim 25 (Original): The image processing apparatus according to claim 24, wherein

said detecting device determines a line or a point existing in said photographed image that does

not match said simulation image as a result of comparing said simulation image with said

photographed image; and

said restoring processing device restores and erases the determined line or point using

corresponding pixels in said simulation image, or corresponding pixels or marginal pixels in said

photographed image.

Claim 26 (Original): The image processing apparatus according to claim 24, wherein said comparing device compares distribution of density and color or distribution of sharpness in a preset region within a picture of said photographing scene, between said simulation image and said photographed image;

said detecting device detects distortion in said distribution of density or color or said distribution of sharpness in said preset region; and

said restoring processing device corrects unevenness or unsharpness with respect to said preset region.

Claim 27 (Original): The image processing apparatus according to claim 24, wherein said comparing device divides an entirety of a picture of said photographing scene into a plurality of sub-regions, and compares distribution of density or color or distribution sharpness for each of said plurality of sub-regions, between said simulation image and said photographed image;

said detecting device detects a sub-region in which said distribution of density and color or said distribution of sharpness has distortion out of said plurality of sub-regions; and

said restoring processing device corrects unevenness or unsharpness with respect to said region in which said distribution has distortion.

Claim 28 (Original): The image processing apparatus according to claim 24, wherein said detecting device derives a region of a specific construction in said simulation image;

said comparing device sets a region that is the same as the region of said specific construction derived in said simulation image in said photographed image; and

said restoring processing device performs processing for removing said specific construction from the same region set in said photographed image.

Claim 29 (Currently Amended): An image processing apparatus comprising:

an image data capturing device which captures digital image data of a photographed image in a camera capable of obtaining said photographed image of a photographing scene in which a subject is photographed, as well as, acquiring or inputting camera information of said photographing scene when said subject is photographed;

a camera information capturing device which captures said camera information of said photographing scene acquired or input in the camera;

an assuming device which assumes said photographing scene by said camera information or by a combination with said digital image data and said camera information; and

an image processing device which subjects preset image processing to said digital image data depending on said assumed photographing scene, wherein

said camera information capturing device captures message information relating

to said photographing scene, acquired or input in said camera and assigned to said digital image data,

said assuming device assumes the photographing scene from contents of said

message information or a combination with said digital image data and said contents of

said message information; and

said image processing device subjects image processing by means of image processing

conditions set in accordance with the assumed photographing scene, and wherein

said message information is audio information <u>and said image processing conditions are</u>

<u>used to image processing for obtaining a high quality image and set in accordance with said</u>

<u>photographing scene assumed from at least said contents of said audio information in said</u>

<u>assuming step</u>.

Claim 30 (Previously Presented): The image processing apparatus according to claim 29,

wherein said message information further includes text information.

Claim 31 (Original): The image processing apparatus according to claim 29, wherein

said assuming device assumes said photographing scene by combining either of photographing

information at the time of photographing, an image characteristics amount of principal subject

information with said message information.

Claim 32 (Previously Presented): The image processing apparatus according to claim 19, further comprising;

a converting device which converts said processed image data obtained by subjecting said preset image processing to said digital image data to at least one of print output image data outputted to a printer producing a print, media output image data utilized in recording to and reproducing from a image data recording medium and communication image data utilized in communicating via a communication device, and is output.

Claim 33 (Original): The image processing apparatus according to claim 18, further comprising:

a converting device which converts said processed image data obtained by subjecting said preset image processing to said digital image data to at least one of print output image data outputted to a printer producing a print, media output image data utilized in recording to and reproducing from a image data recording medium and communication image data utilized in communicating via a communication device, and is output.

Claim 34 (Original): The image processing apparatus according to claim 33, wherein said obtaining device derives subject-related information from said database by means of the subject assumed from said camera information and said related information by said assuming device,

said apparatus further comprising an information adding device which adds said subject-related information derived by said obtaining device, based on said converted image data by said converting device, as at least one of additional information for compositing at the time of producing the print, additional information for reproducing at the time of reproducing on the image data recording medium and additional information for reproducing at the time of reproducing after receiving via the communication device.

Claim 35 (Previously Presented): The image processing method according to claim 7, wherein said processed image data obtained by subjecting said preset image processing to said digital image data is converted to at least one of print output image data outputted to a printer producing a print, media output image data utilized in recording to and reproducing from a image data recording medium and communication image data utilized in communicating via a communication device, and is output.

Claim 36 (Previously Presented): The image processing method according to claim 35, wherein subject-related information is derived from a database by means of the subject assumed from said camera information and said related information and utilized as at least one of additional information for compositing at the time of producing the print, additional information for reproducing at the time of reproducing on the image data recording medium and additional information for reproducing at the time of reproducing after receiving via the communication device.

Claim 37 (Previously Presented): The image processing method according to claim 12, wherein said processed image data obtained by subjecting said preset image processing to said digital image data is converted to at least one of print output image data outputted to a printer producing a print, media output image data utilized in recording to and reproducing from a image data recording medium and communication image data utilized in communicating via a communication device, and is output.

Claim 38 (Previously Presented): The image processing method according to claim 37, wherein subject-related information is derived from a database by means of the subject assumed from said camera information and said related information and utilized as at least one of additional information for compositing at the time of producing the print, additional information for reproducing at the time of reproducing on the image data recording medium and additional information for reproducing at the time of reproducing after receiving via the communication device.

Claim 39 (Previously Presented): The image processing apparatus according to claim 24,

further comprising:

a converting device which converts said processed image data obtained by subjecting said

preset image processing to said digital image data to at least one of print output image data

outputted to a printer producing a print, media output image data utilized in recording to and

reproducing from a image data recording medium and communication image data utilized in

communicating via a communication device, and is output.

Claim 40 (Previously Presented): The image processing apparatus according to claim 39,

wherein said obtaining device derives subject-related information from said database by means

of the subject assumed from said camera information and said related information by said

assuming device,

said apparatus further comprising an information adding device which adds said subject-

related information derived by said obtaining device, based on said converted image data by said

converting device, as at least one of additional information for compositing at the time of

producing the print, additional information for reproducing at the time of reproducing on the

image data recording medium and additional information for reproducing at the time of

reproducing after receiving via the communication device.

Claim 41 (Previously Presented): The image processing apparatus according to claim 32, wherein said obtaining device derives subject-related information from said database by means of the subject assumed from said camera information and said related information by said assuming device,

said apparatus further comprising an information adding device which adds said subject-related information derived by said obtaining device, based on said converted image data by said converting device, as at least one of additional information for compositing at the time of producing the print, additional information for reproducing at the time of reproducing on the image data recording medium and additional information for reproducing at the time of reproducing after receiving via the communication device.

Claim 42 (Currently Amended): An image processing method, comprising the steps of:

capturing digital image data of a photographing scene in which a subject is photographed with a camera, as well as,

capturing camera information of said photographing scene acquired or input in the camera when said subject is photographed;

assuming said photographing scene by said camera information or by a combination with said digital image data and said camera information; and

subjecting preset image processing to said digital image data depending on said assumed photographing scene,

said camera information of said photographing scene includes information on photographing date and time, and photographing position information captured in said camera,

said assuming step of the photographing scene is a step of specifying <u>automatically</u> said

subject in said photographing scene and assuming a photographing situation when said subject is

photographed from said information on said photographing date and time, and said

photographing position information of said camera information or a combination with said

digital image data, said information on said photographing date and time, and said photographing

position information, and

said preset image processing is image processing depending on said specified subject and

said assumed situation and is subjected to said digital image data in a region limited to said

~~specified~~ subject <u>that is automatically specified by said assuming step</u>.

Claim 43 (Currently Amended): An image processing apparatus, comprising:

an image data capturing device which captures digital image data of a photographed

image in a camera capable of obtaining said photographed image of a photographing scene in

which a subject is photographed, as well as, acquiring or inputting camera information of said

photographing scene when said subject is photographed;

a camera information capturing device which captures said camera information of said

photographing scene acquired or input in the camera;

an assuming device which assumes said photographing scene by said camera information

or by a combination with said digital image data and said camera information; and

an image processing device which subjects preset image processing to said digital image

data depending on said assumed photographing scene; wherein

said camera information capturing device captures information on photographing date

and time, and photographing position information captured in said camera as said camera

information of said photographing scene,

said assuming device specifies <u>automatically</u> said subject in said photographing scene

and assumes a photographing situation when said subject is photographed from said information

on said photographing date and time, and said photographing position information of said camera

information or a combination with said digital image data, said information on said

photographing date and time, and said photographing position information, and

said image processing device subjects image processing depending on said specified

subject and said assumed situation as said preset image processing to said digital image data in a

region limited to said ~~specified~~ subject <u>that is automatically specified by said assuming device</u>.

Claim 44 (Previously Presented): The image processing method according to claim 2, wherein

said photographing scene further includes at least one second subject different from said specified first subject in addition to said specified first subject,

said assuming step further includes a step of specifying said at least one second subject in said photographing scene from said camera information and said supplementary information of said combination, said preset image processing further includes at least one second image processing depending on said specified at least one second subject of said assumed situation in addition to said first image processing, and

said at least one second image processing is further subjected to said digital image data in at least one second region limited to said specified at least one second subject as said preset image processing.

Claim 45 (Previously Presented): The image processing method according to claim 2, wherein said first subject is a principal subject or a background.

Claim 46 (Previously Presented): The image processing apparatus according to claim 19, wherein

said photographing scene further includes at least one second subject different from said specified first subject in addition to said specified first subject,

said assuming device further specifies said at least one second subject in said photographing scene from said camera information and said supplementary information or said combination, and

said image processing device further subjects at least one second image processing depending on said specified at least one second subject or said assumed situation as said preset image processing to said digital image data in at least one second region limited to said specified at least one second subject.

Claim 47 (Previously Presented): The image processing apparatus according to claim 19, wherein said first subject is a principal subject or a background.

Claim 48 (Currently Amended): An image processing method, comprising the steps of:

capturing digital image data of a photographing scene in which a subject is photographed with a camera, as well as,

capturing camera information of said photographing scene acquired or input in the camera when said subject is photographed;

assuming said photographing scene by said camera information or by a combination with said digital image data and said camera information; and

subjecting preset image processing to said digital image data depending on said assumed photographing scene, wherein

<u>said capturing step of capturing</u> said camera information of said photographing scene ~~includes~~ <u>is a step of capturing</u> a message information relating to said photographing scene, acquired or input in said camera <u>at a same time when the digital image data is captured</u> and assigned to said digital image data, <u>such that the message information is being stored until it is used,</u>

said assuming step of the photographing scene is a step of assuming the photographing scene from contents of said message information or a combination with said digital image data and said contents of said message information; and

said preset image processing step is a step of subjecting image processing by means of image processing conditions set in accordance with the assumed photographing scene, and wherein

said photographing scene is assumed by combining principal subject information with said message information.

Claim 49 (Previously Presented): The image processing method according to claim 48, wherein said photographing scene is assumed by combining said principal subject information and either of photographing information at the time of photographing or an image characteristics amount with said message information.

Claim 50 (Previously Presented): The image processing method according to claim 48, wherein said message information is expressed by at least one word, and said photographing scene is assumed by interpreting said at least one word.

Claim 51 (Previously Presented): The image processing method according to claim 12, wherein said message information is expressed by at least one word, and said photographing scene is assumed by interpreting said at least one word.

Claim 52 (Currently Amended): An image processing apparatus, comprising:

an image data capturing device which captures digital image data of a photographed image in a camera capable of obtaining said photographed image of a photographing scene in which a subject is photographed, as well as, acquiring or inputting camera information of said photographing scene when said subject is photographed;

a camera information capturing device which captures said camera information of said photographing scene acquired or input in the camera;

an assuming device which assumes said photographing scene by said camera information or by a combination with said digital image data and said camera information; and

an image processing device which subjects preset image processing to said digital image

data depending on said assumed photographing scene, wherein

said camera information capturing device captures message information relating to said

photographing scene, acquired or input in said camera <u>at a same time when the digital image data</u>

<u>is captured</u> and assigned to said digital image data, <u>such that the message information is stored in</u>

<u>the image data capturing device until it is used,</u>

said assuming device assumes the photographing scene from contents of said message

information or a combination with said digital image data and said contents of said message

information as well as by combining principal subject information with said message

information; and

said image processing device subjects image processing by means of image processing

conditions set in accordance with assumed photographing scene.

Claim 53 (Previously Presented): The image processing apparatus according to claim 52,

wherein said assuming device assumes said photographing scene by combining said principal

subject information and either of photographing information at the time of photographing or an

image characteristics amount with said message information.

Claim 54 (Previously Presented): The image processing apparatus according to claim 52,

wherein said message information is expressed by at least one word, and said assuming device

assumes said photographing scene by interpreting said at least one word.

Claim 55 (Previously Presented): The image processing apparatus according to claim 29, wherein said message information is expressed by at least one word, and said assuming device assumes said photographing scene by interpreting said at least one word.

Claim 56 (New): The image processing method according to claim 2, wherein said assuming step of the photographing scene includes a step of a subject extracting step of extracting automatically said first subject and said first subject region limited to said first subject,

said first image processing is subjected to said digital image data in a first region limited to said first subject that is specified by said assuming step.

Claim 57 (New): The image processing apparatus according to claim 19, wherein said assuming device includes a device for extracting automatically said first subject and said first region limited to said first subject by a subject extracting method.

Claim 58 (New): The image processing apparatus according to claim 12, wherein at least one of gradation control of density of color, geometrical distortion correction, and emphasizing or smoothing processing is executed in said region limited to said specified first subject as said preset image processing.

Claim 59 (New): The image processing apparatus according to claim 29, wherein said image processing device executes at least one of gradation control of density of color, geometrical distortion correction, and emphasizing or smoothing processing in said region limited to said specified first subject as said preset image processing.